

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

SW – Krishna District – Nuzvid (M) & Town – Land acquired to an extent of Ac. 7.72 cents for providing house sites to weaker sections - Sanction of balance decretal charges as ordered by Hon'ble Senior Civil Judge, Nuzvid in O.P. No. 44/92 - Orders - Issued.

SOCIAL WELFARE (LA) DEPARTMENT

G.O.Rt.No. 746

Dated.30-10-2009.
Read the following:-

1. Commissioner of Social Welfare, A.P., Hyderabad Lr. No. LA.3/3297/2008, dated 08.04.2008.
2. Collector, Krishna District, Lr. No. G3/396/2008, dated 17.03.2008.
3. Spl. C.S & CCLA, Rf. No. G2/461/2008, dated 04.07.2009.

ORDER:

In the reference 3rd read above, the Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, AP, Hyderabad has stated that the land to an extent of Ac. 13-00 in R.S. No. 135 of Nuzvid Town was acquired by Land Acquisition Officer and passed Award No. 1/92, dated 04.03.1992 and Draft Notification was approved on 13.06.1979 and published in Gazette on 10.07.1979. Out of the extent of land notified, an extent of Ac. 8-10 with 89 Mango Trees was taken possession on 25.05.1981. The Hon'ble High Court have issued orders quashing the Draft Notification issued in this case in WP No. 7460/81 on 23.03.1986. The Draft Notification was again approved on 28.02.1989 and was published for an extent of Ac. 8-10 as the possession was taken for that extent only. The Land Acquisition Officer, Nuzvid has fixed the Market Value @ Rs. 10,909/- and calculated the interest from 25.05.1981 to 15.10.1981. The Market Value was fixed as on the date of re-notification i.e. 27.04.1989 @ Rs. 54,925/-, A.M.V. @ 12%, Solatium @ 15% from 25.05.1981 to 26.04.1989 and 30% from the date of publication of revised Notification to the date of award, and interest @ 4%, 9% and 15% and an amount of Rs. 17,800/- was awarded towards value of 89 Mango Trees with 30% Solatium on it. The Land Acquisition Officer has concluded that there is some discrepancy in between the extents of the land and deposited the entire compensation of Rs.10,68,330/- in Civil Court under Land Acquisition Act. Subsequently on a reference U/s 18(1) of L.A. Act the Hon'ble Senior Civil Judge, Nuzvid, vide Judgment in O.P. No. 44/92, dated 23.09.2004 has enhanced the compensation from Rs. 54,925/- to Rs. 1,00,000/- per acre for Ac. 7-72 cents only, with Solatium @ 30%, Addl. M.V. @ 12% from the date of re-notification and interest U/s 28 of the Land Acquisition Act, on the Market Value and Solatium also.

2. In view of the E.P No.212/7 filed by the Land owner for attachment of properties of the O/o RDO, Nuzvid, the Govt. Pleader for Appeals, Hyderabad who has been consulted, has opined that it is not a fit case to refer the matter to the Hon'ble High Court.

3. The District Collector, Krishna has therefore submitted a proposal through the Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, AP, Hyderabad to release an amount of Rs.16,32,101/- but the Spl. Chief Secretary to Government and Chief Commissioner of Land Administration has recommended to release an amount of Rs. 16,30,760/- as per his Office calculations, to the Collector, Krishna District towards payment of balance decretal charges, as ordered by Senior Civil Judge Court, Nuzvid in OP. No. 44/92.

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4. After careful examination of the matter, the Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release of an amount of Rs.16,30,760/- (Rupees sixteen lakh thirty thousands seven hundred and sixty only) to the District Collector, Krishna towards balance decretal charges, in respect of the land acquired to an extent of Ac.7.72 cents bearing RS No.135 of Nuzvid Town, Krishna District, for providing house sites to the weaker sections' people, as ordered by the Court of Senior Civil Judge at Nuzvid in OP. No. 44/92

5. The amount of expenditure sanctioned at para (4) above shall be debited to the following Head of Account.

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes -01 Welfare of Scheduled Castes – M.H.283- Housing – GH.11- Normal State Plan – SH (08) – Acquisition of House Sites to weaker sections under INDIRAMMA Programme – 310 – Grants-in-aid 312 – Other Grants-in-aid“

and shall be met from the provision available in the Budget Estimates 2009-10.

6. The Commissioner of Social Welfare, Hyderabad, is directed to issue necessary proceedings to the Collector, Krishna District accordingly.

7. The Collector, Krishna District, is directed to verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Exp.SW) Department as per the instructions issued vide their U.O. Note No.12869/196/A1 /Exp.SW/2009, dated.22-5-2009 and U.O.No.15926/256/A1/ Expr.SW/09, dated.17-8-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT

To

Spl. Chief Secretary to Government and Chief Commissioner of Land Administration,
AP, Hyderabad.

The Commissioner of Social Welfare, AP, Hyderabad.

The District Collector, Krishna District.

Copy to :

The Director of Treasuries and Accounts, A.P. Hyderabad.

The Accountant General, A.P, Hyderabad.

The District Treasury Officer, Krishna District.

The Finance (Exp.SW) Department.

Sf/sc

//FORWARDED::BY ORDER//

SECTION OFFICER